

Sterilization Amendment Deposit for Impounded Animals: An Overview of Recent Developments

Introduction

Uncontrolled breeding and pet overpopulation affects communities across the nation, and the costs to cities and their residents are tremendous. It costs U.S. taxpayers an estimated \$2 billion each year to pick-up, house, feed, euthanize, and dispose of unwanted animals. Some communities have seen this problem as such an important issue that laws have been passed at the state level to combat it.

The City of Minneapolis is proposing an ordinance towards eliminating uncontrolled breeding and its costs to the community through a spay/neuter deposit for recovered animals. Ordinances similar to this have been implemented in other communities and states across the country, and some of these ordinances are more restrictive than what the city is proposing. The city's ordinance encourages a pet owner to have her or his pet altered, but does not mandate the procedure like other communities do.

Proposed Ordinance

Staff proposes a new ordinance that would require a \$40 sterilization deposit to be made upon the redemption of any lawfully impounded unaltered dog or cat, found at large. This deposit will be refunded upon proof that a licensed veterinarian has sterilized the animal within 45 days of its recovery. Otherwise, the deposit will be forfeited and such funds used to offset the costs of animal care and control services.

Concerns

Various concerns justify the proposed amendment requiring the sterilization deposit. These concerns and their context include the following:

- Unwanted pets are destroyed in Minneapolis as well as other communities throughout the country.
- According to the Doris Day Animal Foundation, the cost to society for picking up, feeding, sheltering, destroying, and disposing of unwanted animals ranges from \$50 to \$176 per animal.
- Stray animals get into trash containers, defecate in public areas or on private lawns, and increased incidences of dog bites can occur.
- Studies have shown that unaltered pets are more likely to roam.
- One solution to pet overpopulation is widespread sterilization efforts, of which legislation can have the most direct impact by requiring that all animals leaving the shelter be sterilized.
- Intact dogs are more likely than sterilized one to bite people.
- The city currently has a differential licensing fee that has just been increased to \$15 for sterilized animals and \$30 for intact animals.

Similar Ordinances

Over the last decade, communities across the United States have implemented ordinances similar to what is being proposed. To date it appears that no legal challenges have been made to regulations of this kind. The following are examples of implemented ordinances:

- **(1993) City of Artesia, New Mexico:** It is mandated that an unaltered animal can only be reclaimed by its owner without being sterilized, if a deposit is made and an agreement is signed stating that they will sterilize the animal within 30 days after the release or obtain a breeder's permit. The deposit is set at \$100.

- **(1998) State of Utah:** Utah requires a sterilization deposit for the redemption of an unaltered animal upon the second impound within a 12-month period. The deposit is refunded if the owner provides proof of sterilization within 30 days of release. For dogs and puppies the deposit is \$50 and for cats and kittens the deposit is \$25.
- **(1998) City of Tulsa, Oklahoma:** Owners must leave \$50 deposit to reclaim an unaltered animal, and sign an agreement stating they will have the animal sterilized within 60 days of redemption. The deposit is refundable if proof of sterilization is provided within 60 days.

Some communities have taken even stricter approaches to ensuring that animals are spayed/neutered. The following are examples of this notable trend:

- **(1994) City of Sacramento, California:** After the second impoundment within a three year period, an unaltered animal will not be returned to its owner without being spayed/neutered. The owner must pay redemption fees in addition to the cost of sterilization procedure.
- **(2000) New York City, New York:** Sterilization is required for any animal released from municipal shelters whether the animals are being adopted or returned to their owners. This also applies to animals being bought from municipal pet stores. A fine of between \$250 and \$500 will be issued for violation of this new law.
- **(2001) City of St. Louis, Missouri** has taken an even more stringent approach to combat pet overpopulation. A law effective June 22, 2001 requires that any animal picked up by animal control be spayed/neutered and microchipped before being returned to its owner. Program manager, Richard Stevson, said that no one has failed to pick up their animal as a result of this requirement (St. Louis County Health Department, 2001).
- **(2000) The Greenhill Human Society, Eugene Oregon** implemented a variation of the above ordinances. Under their policy, if a an unidentified, unsterilized stray animal is brought to the shelter—and if the owner does not contact the shelter within 24 hours—the owner can get his pet back only by paying for a sterilization surgery or giving the shelter \$500 for the return of the animal. The only animals affected under this policy are those that are unlicensed.